

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

March 23, 2000

DIVISION ONE

B136653 People (Not for Publication)
v.
Fairley

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Ortega, Acting P.J.
Masterson, J.

[illegible]

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Ortega, J.

DIVISION TWO

Court convened at 9:00 A.M.

Present: Boren, P.J., Nott, J., Cooper, J., Mallano, J. (Assigned) and G. Villanueva, Deputy Clerk.

DIVISION TWO (Continued)

Each of the following:

B129573 People v. Coles
B135054 People v. Cathy V.
B131729 People v. Gibson
B133689 People v. Angie R.
B134805 People v. Gathe
B123666 People v. Larre
B130047 People v. Cerna
B126972 People v. Burke
B130161 People v. Carranco
B130310 People v. Scott
B128959 People v. Paxton
B125658 People v. Sealie
B134409 People v. Juan P.
B135230 In re Curtis & Crystal W.
B126939 Harding v. County of L.A.
B136383 In re Nathan P.
B133957 People v. Marquay W.
B134440 In the Matter of Elizabeth M.
B133972 Waters v. WCAB
B130073 People v. Gonzalez
B127941 People v. Montalvo & Ruiz
B131495 People v. Dawson
B130485 People v. Kuhn
B132718 Greenberg v. JEM Diversified

Argument waived, cause submitted.

B133844 People
 v.
 Pambukyan

Merits:

Argued by Manuel Miller for appellant and by Rori Ridley, deputy attorney general, for respondent. Cause submitted.

DIVISION TWO (Continued)

B128946 People
 v.
 Kelley

Merits:

Argued by Brent Riggs, deputy district attorney, for appellant and by Murray Rosenberg for respondent Kelley. Respondent Furcron waived oral argument. Cause submitted.

B135149 Ledding
 v.
 Ledding

Merits:

Argued by Mary Ledding appellant in propria persona and by Ira Friedman for respondent. Cause submitted.

B130495 Cal-Vest
 v.
 Home Savings

Merits:

Argued by Steven Stevens for appellant and by Donald Ramsey for respondent. Cause submitted.

B129428 Grosslight Ins.
 v.
 Meyer et al.

Merits:

Argued by Robert Feighner for appellant and by Patricia Holbrook for respondent. Cause submitted.

DIVISION TWO (Continued)

B134421 Navistar International Transportation
v.
Globe Indemnity Co.

Merits:

Argued by Susan Field for appellant and by William Tayler for respondent.
Cause submitted.

B123371 Copelco Credit Corp., et al.
v.
Mansell

Merits:

Argued by Russell Clampitt for appellant, by Stephen Spinella for respondent Copelco and by Joseph Howington for respondent Minolta.
Cause submitted.

B132782 Little
v.
Glendale Diagnostic Center

Merits:

Argued by Charles Ruben for appellant and by Robert Cohen for respondent. Cause submitted.

B130074 Rice
v.
Crow

Merits:

Argued by John Burgee for appellant, by Charles Birke for respondent Pardee and by Dianne DiMascio for respondent Crow. Cause submitted.

Court recessed.

DIVISION TWO (Continued)

Court reconvened at 1:00 P.M.

Present: Boren, P.J., Nott, J., Cooper, J., Mallano, J. (Assigned), Goodman, J. (Assigned) and G. Villanueva, Deputy Clerk.

B129355 People
 v.
 Frontier Pacific Ins.

Merits:
Argued by Robert Raglano, deputy county counsel, for respondent.
Appellant waives oral argument. Cause submitted.

B128060 People
 v.
 Wizar

Merits:
Argued by Maxine Weksler for appellant and by Gary Lieberman, deputy attorney general, for respondent. Cause submitted.

B130575 Empire State Wholesalers
 v.
 Stery MFG, Inc.

Merits:
Argued by Joel Feuer for appellant and by James Turken for respondent.
Cause submitted.

B115308 People
 v.
 Bohannon et al.

Merits:
Argued by Randy Short for appellant Bohannon, by Tony Cogliandro for appellant Hagemann and by Michael Keller, deputy attorney general, for respondent. Cause submitted.

March 23, 2000-Continued

DIVISION TWO (Continued)

B137002 Johnson
v.
Superior Court, Los Angeles County
(California Cryobank, r.p.i.)

Merits:

Argued by Walter Koontz for petitioner, by Jeffrey Miller for real party in interest Calif. Cryobank, by Gillian Pluma for real party in interest Rothman and by Gary Bostwick for real party in interest John Doe. Cause submitted.

B123877 Manatt Phelps & Phillips
v.
K & F Hollywood Galleria

Merits:

Argued by Scott Tepper for appellant and by Rita Gunasekaran for respondent. Cause submitted.

Court adjourned.

DIVISION THREE

B131212 People (Not for Publication)
v.
Taylor

The judgment is affirmed.

Klein, P.J.

We concur: Kitching, J.
 Aldrich, J.

March 23, 2000-Continued

DIVISION THREE (Continued)

[illegible]

The judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.
Kitching, J.

B130017 Michael Viner, et al. (Not for Publication)
v.
Dove Entertainment, Inc., et al.

The appeal from the judgment of confirmation is affirmed. NewStar Media Inc. is awarded its costs on appeal. The matter is remanded to the trial court for a determination of the amount of attorney fees recoverable by NewStar Media Inc. as a part of its costs on appeal.

Croskey, J.

We concur: Klein, P.J.
Kitching, J.

B108801 Lena Almasi (Not for Publication)
v.
Gourgen Almasi

The judgment is affirmed. Respondent(s) to recover costs.

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

DIVISION THREE (Continued)

B124616 Pacific Photo Express, etc. (Not for Publication)

v.

Jan Gerstel & Pacific Photo Express, Inc.

Universal City Studios, Inc., etc., et al.

The judgment is affirmed. Respondent(s) to recover costs.

Croskey, J.

We concur: Klein, P.J.

Schneider, J. (Assigned)

B132198 Darren Manibog (Not for Publication)

v.

Mediaone of Los Angeles, Inc.

The judgment is reversed, and the trial court is directed to (1) vacate its order granting defendant's motion for summary judgment, (2) enter a new order denying defendant's motion for summary judgment, and (3) restore plaintiff's motion for summary adjudication to its calendar for resolution in light of the views expressed in this opinion. Plaintiff Darren Manibog is awarded his costs on appeal.

Croskey, J.

We concur: Klein, P.J.

Aldrich, J.

DIVISION THREE (Continued)

B135321 First Interstate Company, et al. (Certified for Publication)

V.

Superior Court, Los Angeles County
(Jalisco Corporation, Inc., et al., r.p.i.)

The petition for writ of mandate is granted. The Superior Court of the State of California for the County of Los Angeles is directed to set aside its Supplemental Case Management Order to the extent it precludes any party from filing a motion pursuant to section 437c. This is without prejudice to the court fashioning an order that is not inconsistent with the views expressed in this opinion. The alternative writ, issued on October 15, 1999, is discharged. Each party to bear their own costs.

Schneider, J. (Assigned)

We concur: Klein, P.J.
Aldrich, J.

DIVISION FOUR

B131947 People (Not for Publication)

V.

Jairo L.

The commitment order is modified to award appellant 41 days of custody credit and to reduce his maximum term of confinement by 14 days, and is affirmed in all other respects. The juvenile court is directed to prepare an amended commitment order and to forward a certified copy to the California Youth Authority.

Curry, J.

We concur: Vogel (C.S.), P.J.
Epstein, J.

March 23, 2000-Continued

DIVISION FOUR (Continued)

[illegible]

The judgment is affirmed.

Curry, J.

We concur: Hastings, Acting P.J.
Berle, J. (Assigned)

[illegible]

The judgment is affirmed.

Vogel (C.S.), P.J.

We concur: Hastings, J.
Curry, J.

[illegible]

The judgment is affirmed.

Curry, J.

We concur: Vogel (C.S.), P.J.
Epstein, J.

March 23, 2000-Continued

DIVISION FIVE

B131052	Robert Gould, Inc. Profit Sharing v. Donna Nelson et al.	(Not for Publication)
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The judgment is affirmed. Respondent(s) to recover costs.

Armstrong, J.

We concur: Grignon, Acting P.J.
Godoy Perez, J.

B135261 People (Not for Publication)
v.
Joseph Paul Hart

The judgment is affirmed.

Grignon, Acting P.J.

We concur: Armstrong, J.
 Godoy Perez, J.

DIVISION SIX

B120893 People (Not for Publication)
v.
Swanson et al.

The order denying the suppression motions is affirmed.

Matz, J. (Assigned)

We concur: Gilbert, P.J.
 Yegan, J.

March 23, 2000-Continued

DIVISION SIX (Continued)

B136696 People (Not for Publication)
v.
Emmanuel P.

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
Perren, J.

DIVISION SEVEN

B121149 Steiny And Company, Inc. (Certified for Publication)
v.

Calif. Electric Supply Company, Inc.

B124698 Morley Construction Company

V.
Hughes Aircraft Company

The judgment against Steiny and Company and in favor of California Electric Supply Company is reversed, and Steiny's claim against California is remanded for trial. The judgments against Morley Construction Company and Hughes Aircraft Company and in favor of Steiny are affirmed. The post-judgment order requiring Morley to pay fees and costs to Steiny is modified to strike the expert witness fees, and as modified is affirmed. Steiny is awarded costs on appeal against California, Morley and Hughes.

Neal, J.

We concur: Johnson, Acting P.J.
Woods, J.

March 23, 2000-Continued

DIVISION SEVEN (Continued)

B120398 Dane et al. (Not for Publication)
v.
Hafif et al.

The judgment is affirmed. Plaintiffs shall recover their costs on appeal.

Neal, J.

We concur: Lillie, P.J.
 Johnson, J.